

REMARKS

Claims 1-3, 5-31 are presented. Claims 6-16, 19-20, 23, and 26-30 are withdrawn from consideration. Claim 4 has been cancelled herein without prejudice or disclaimer. Claim 1 has been amended. Claim 31 has been added herein. Support for the amendments to claim 1 is at least based on original claim 4 and paragraph [0078] of the description. Support for claim 31 is at least based on paragraph [0091] of the description.

Applicants' Response to Election/Restrictions

Applicants confirm the election of claims 1-5, 17-18, 21-22 and 24-25.

Applicants' Response to the Claim Rejections under 35 U.S.C. §112

Claim 5 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, the Office Action maintains that it is unclear how "the non-liquid crystal polymer" is a polymer of a liquid crystal compound when it is non-liquid crystal. In response thereto, applicants note that claim 1 has been amended to include a listing of the polymers contained within the non-liquid crystal polymer. Wherefore, applicants respectfully submit that claim 5's recitation of a polymer is now definite.

Applicants' Response to the Claim Rejections under 35 U.S.C. §102

Claims 1-5 and 21-24 are rejected under 35 U.S.C. §102(e) as being anticipated by *Murayama et al.* (US 6,778,242).

In response thereto, applicants respectfully submit that *Murayama* does not anticipate the present invention as now claimed for at least the reason that the reference does not teach each and every feature of the claimed invention either expressly or inherently.

For example, *Murayama* at least fails to disclose the feature of parent claim 1 that the non-liquid crystal polymer is a non-liquid crystal polymer that is applied to a base and, when dried, generates anisotropy.

The present invention is directed to a retardation film, showing birefringence, that contains the aligned non-liquid crystal polymer. The present invention is characterized in that the alignment of the non-liquid crystal polymer on the surface of the retardation film is different from the alignment of the non-liquid crystal polymer on the inside of the retardation film. Further, the surface having the alignment that is different from the alignment on the inside functions as an alignment surface. This is a non-liquid crystal polymer that is applied to a base and, when dried, generates anisotropy. Therefore, the present invention does not require any alignment film.

Contrary, *Murayama* is directed to an optical compensatory sheet containing a cellulose acetate support and an anisotropic layer. This anisotropic layer contains a discotic liquid crystal molecule. See claim 1, col. 71, lines 23-25. In order to align this discotic liquid crystal molecule, *Murayama* uses an orientation layer (alignment film). See col. 35, lines 45-47. Furthermore,

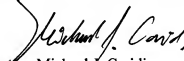
Murayama neither describes nor provides any basis for any polymer that is applied to a base and, when dried, generates anisotropy as required by applicants' parent claim 1.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Michael J. Caridi
Attorney for Applicants
Registration No. 56,171
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

MJC/rrr